

December 2006 Unified Program Newsletter

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California Environmental Protection Agency

Data Standards Steering Committee

On September 1, 2006, the Secretary of Cal/EPA implemented a new policy to standardize the management of information across all of the Boards, Departments, and Offices of Cal/EPA. The Cal/EPA Data Dictionary in Title 27 of the California Code of Regulations is now the standard data dictionary to be used by all BDOs. This data dictionary is currently used by the CUPAs and state agencies that regulate over 140,000 businesses covered by the Unified Program. The DSSC is chaired by Michelle Culp of DTSC and includes members for each of the BDOs. For additional information on the DSSC, contact Kareem Taylor at 916-327-9557 or kareemt@calepa.ca.gov

State Water Resources Control Board

Revised Content for ICC CA UST System Operator Exam

Each year, a committee of UST operators and regulators meet to review the content of ICC's UST exams and revise the exams as needed. In late September, the exam maintenance committee spent two days revising the California UST System Operator exam in a number of ways:

- 1) Revised or eliminated questions on the current exam that were too easy or too difficult to effectively discriminate between qualified and unqualified candidates,
- 2) Added questions on requirements that were not in place when the exam was created, including annual spill bucket testing, VPH monitoring for UST systems installed after July 1, 2004, and the regulatory responsibilities of Designated UST Operators,
- 3) Separated the existing bank of leak detection questions into two categories: single-walled and double-walled leak detection. 25% of the exam content will still be on leak detection, but that 25% will consist of approximately 3 questions on double-walled leak detection requirements for every question on single-walled leak detection requirements.

In anticipation of many Designated Operators seeking their two-year recertification, these revisions will be reflected in the exams offered at Lasergrade and Promissor test centers as of November 7, 2006. UST Program Contact: Scott Bacon (sbacon@waterboards.ca.gov, 916-341-5873)

Enhanced Leak Detection (ELD) Follow-up

The latest round of ELD letters has been completed for 33 CUPA jurisdictions that returned updated information. Approximately 171 new notification, 112 noncompliance, and 52 notification withdrawal letters were sent out between November 1st and 3rd. For CUPAs that have not sent in their updates, please do so, so that the information can be used in future notifications.

In order to expedite any Requests for Reconsideration (RFR) that may result from the notifications and noncompliance letters, CUPAs should check Geotracker to ensure that each site is correctly located, and if it is not, move the site to the correct location. If you provide us with information that the site is closed, or ELD test results, or the tank owner provides ELD test results, we will forego the RFR process for those sites.

We sent lists of the facilities that received new notification, noncompliance and notification withdrawal letters to ELD testing companies and industry representatives on November 20, 2006.

Thanks again, to the CUPAs for all of their efforts in this process.

UST Program Contact: Terry Brazell (tbrazell@waterboards.ca.gov; 916-341-5645)

Department of Toxic Substances Control

2006 Final Notice Verification Questionnaire

On December 4, 2006, The Generator Information Services Section will mail the 2006 Final Notice Verification Questionnaire and EPA ID number verification fee package for 27,000 EPA ID numbers. As you are aware from past VQ mailings, our Telephone Information Center (TIC) will be extremely busy for 1 to 2 weeks after the mailing.

The deadline for returning the appropriate paperwork to the Department is 10 days, not the 30 days as before. For the benefit of the people that are unable to wait we have posted a section with Frequently Asked Questions (FAQ) are under "ID Numbers, Manifests & Fees" on the DTSC web site. They may very well find the answers to their questions and will not need to call our TIC.

We are continuing our temporary phone numbers that are specifically for questions about the VQ process at (877) 454-4012 (toll-free) and (916) 255-4439. While the caller is on hold, they will hear a series of recorded messages about the verification process.

Cyanide Regulations

DTSC expects to open the public comment period for new regulations adding some cyanide wastewater treatment to the permit by rule program during the month of March 2007. Interested parties will have 45 days to submit written comments to DTSC or will be able to verbally comment on the regulations at a formal public hearing. These regulations will be coordinated with a Cal/EPA regulation package making changes to the Title 27 regulations and with State Water Resources Control Board regulations making changes to the underground storage tank program.

The regulations will allow destruction of cyanide in dilute wastewaters from rinse tanks and some equipment cleaning. Treatment will be authorized using several commonly used and well understood technologies. Treatment of more concentrated process solutions by electrowining to recover metals for recycling will also be allowed under this permit by rule. Other treatment of more concentrated solutions and treatment of non-aqueous wastes will not be allowed by these regulations.

Absent significant adverse public comment, DTSC expects to submit the final regulations to the Office of Administrative Law for review sometime in the summer with an effective date in early fall. Sixty days after the regulations become effective, the existing cyanide treatment consent orders issued by DTSC will sunset and all facilities treating cyanides onsite must operate under this permit by rule.

DTSC Proposes Treated Wood Waste Management Standards

The proposed regulations - Alternative Management Standards for Treated Wood Waste - requires that nonRCRA treated wood waste be disposed of in either a class I hazardous waste landfill or in a composite-lined portion of a solid waste landfill at the end of the wood's useful life. Persons managing these wastes would be subject to standards for waste handling, transportation, and destination facilities, as well as additional treated wood waste specific management standards established in the proposed regulations.

The full rulemaking comment period began on November 24, 2006 and ends on January 8, 2007. The public hearing on the full rulemaking at 10:00 a.m. on January 8, 2007 in the Byron Sher Auditorium, 2nd Floor, 1001 "I" Street, Sacramento.

The current statutory exemption that has been in effect almost two years will sunset on December 31, 2006, before this rulemaking is complete. Prior to January 1, 2007, DTSC will file an emergency regulatory package to the Office of Administrative Law (OAL) that extends the generalized management standards of Health and Safety Code subsection 25150.7(e) for one hundred twenty (120) days. These emergency regulations are necessary to ensure that TWW continues to be disposed in a manner protective of human health and the State's groundwater resources while preventing the large volumes of TWW from overwhelming the State's capacity to manage and dispose of other hazardous wastes. Upon approval by OAL of the emergency regulations, DTSC will post a factsheet addendum to DTSC website explaining the current hazardous waste requirement for treated wood waste. For the latest on the proposed regulations and the emergency regulations, please see the tables on DTSC webpage <http://www.dtsc.ca.gov/LawsRegsPolicies/index.cfm> .

For more information, please contact William Beckman at (916) 324-8293 or wbeckman@dtsc.ca.gov, or Ed Nieto at (916) 322-7893 or enieto@dtsc.ca.gov .

The Unified Program Section is interested in your comments and suggestions regarding the monthly newsletter. Please provide comments and suggestions to cupa@calepa.ca.gov.

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